

ESTTA Tracking number: **ESTTA403227**

Filing date: **04/12/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92053077
Party	Defendant Indochine Clothingworks
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Submission	Other Motions/Papers
Filer's Name	Thomas P. Philbrick
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Signature	/Thomas P. Philbrick/
Date	04/12/2011
Attachments	INDOCHINE stipulated surrender filed 04122011.pdf (2 pages)(37980 bytes) Certificate of Service INDOCHINE surrender stipulation 04122011.pdf (1 page)(11207 bytes)

Respondent notes that because Petitioner has provided its express consent to the complete class 25 surrender via its attorney's signature below, the dismissal should be entered as without prejudice and no judgment against the Respondent should be entered by the TTAB. Respondent also notes that the original certificate of registration for the subject trademark has been lost and it therefore submits that it need not be included with this stipulated surrender filing.

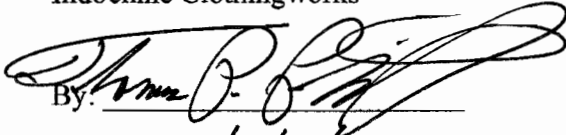
Conclusion

Given the foregoing, the parties respectfully request the processing of the surrender of Respondent's class 25 trademark registration number 3,511,639 and the without prejudice dismissal of the instant cancellation proceeding.

DATED this 12th day of April, 2011.

Respectfully submitted,

Indochine Clothingworks

By: 

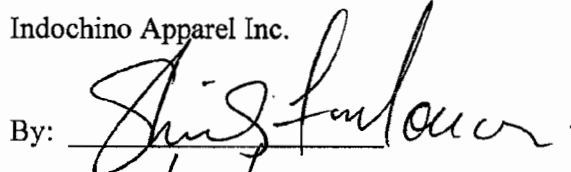
Date: 04/12/2011

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Respectfully submitted,

Indochino Apparel Inc.

By: 

Date: 3/28/2011

Sheila Fox Morrison, Esq.
Attorney for Petitioner

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address of record by email (by agreement only) on this date.

The motion was forwarded to the following email addresses...

sheilamorrison@dwt.com

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almurray@dwt.com

Signature of Attorney for Respondent:

A handwritten signature in black ink, appearing to read "Thomas D. Murray", written over a horizontal line.

Date:

04/12/2011